

Message

From: Thomas, Latosha [Thomas.Latosha@epa.gov]
Sent: 1/10/2018 7:05:59 PM
To: Lewis, Jen [Lewis.Jen@epa.gov]; Salo, Earl [Salo.Earl@epa.gov]
CC: Gioffre, Patricia [Gioffre.Patricia@epa.gov]; Jennings, Kim [Jennings.Kim@epa.gov]
Subject: FW: Revised fact sheet?
Attachments: CERCLA EPCRA Factsheet FINAL.docx

Hi OGC,

Could you please advise on OLEM's suggestions below regarding synonyms?

I've also attached the latest version of the FAQs/fact sheet just in case you have any other changes.

Please send all comments **back to me by 2:30PM today. This is a hard deadline.** Thanks!

From: Taylor, Trish
Sent: Wednesday, January 10, 2018 1:58 PM
To: Thomas, Latosha <Thomas.Latosha@epa.gov>
Cc: Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Lewis, Jen <Lewis.Jen@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>
Subject: RE: Revised fact sheet?

Hi Latosha,
Thanks for the chance to review. I have 3 comments/suggestions.

1) Spell out the first reference to the National Response Center (NRC).

Deliberative Process / Ex. 5

Thanks for your hard work on this,
Trish

Message

From: Lewis, Jen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=ECD7B39BA6F14334BC308B9A3BC2AE5F-JLUE]
Sent: 1/10/2018 7:21:25 PM
To: Thomas, Latosha [Thomas.Latosha@epa.gov]; Taylor, Trish [Taylor.Trish@epa.gov]
CC: Gioffre, Patricia [Gioffre.Patricia@epa.gov]; Benjamin, Kent [Benjamin.Kent@epa.gov]
Subject: RE: Revised fact sheet?

Deliberative Process / Ex. 5

Jen

Jen Lewis
Deputy Associate General Counsel
Solid Waste and Emergency Response Law Office
(202) 564-2097

From: Thomas, Latosha
Sent: Wednesday, January 10, 2018 1:59 PM
To: Taylor, Trish <Taylor.Trish@epa.gov>
Cc: Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Lewis, Jen <Lewis.Jen@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>
Subject: RE: Revised fact sheet?

Thanks for the quick turnaround!

From: Taylor, Trish
Sent: Wednesday, January 10, 2018 1:58 PM
To: Thomas, Latosha <Thomas.Latosha@epa.gov>
Cc: Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Lewis, Jen <Lewis.Jen@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>
Subject: RE: Revised fact sheet?

Hi Latosha,
Thanks for the chance to review. I have 3 comments/suggestions.

1) Spell out the first reference to the National Response Center (NRC).

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks for your hard work on this,
Trish

From: Thomas, Latosha
Sent: Wednesday, January 10, 2018 12:52 PM
To: Taylor, Trish <Taylor.Trish@epa.gov>
Cc: Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Lewis, Jen <Lewis.Jen@epa.gov>
Subject: RE: Revised fact sheet?

Here you go. If you have any other comments, please send to me by 2PM. The deadline isn't flexible. Thanks!

From: Taylor, Trish
Sent: Wednesday, January 10, 2018 12:22 PM
To: Thomas, Latosha <Thomas.Latosha@epa.gov>
Cc: Gioffre, Patricia <Gioffre.Patricia@epa.gov>
Subject: RE: Revised fact sheet?

Hi Latosha and Patty,

Could you send me the draft version that USDA is looking at?

Thanks so much,
Trish

From: Taylor, Trish
Sent: Monday, January 08, 2018 5:27 PM
To: Thomas, Latosha <Thomas.Latosha@epa.gov>
Subject: RE: Materials

Thanks Latosha,
It'll be interesting to see which comments Patty incorporates into the revision. They're very legalese. I'll share Patty's revision with Barry tomorrow, for awareness, as we move it forward to USDA.

From: Thomas, Latosha
Sent: Monday, January 08, 2018 5:09 PM
To: Taylor, Trish <Taylor.Trish@epa.gov>
Subject: FW: Materials

From: Subramanian, Hema
Sent: Monday, January 08, 2018 5:03 PM
To: Thomas, Latosha <Thomas.Latosha@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Jennings, Kim

[<Jennings.Kim@epa.gov>](mailto:Jennings.Kim@epa.gov)

Subject: FW: Materials

Per the context I mentioned on the call today...

Hema Subramanian
Special Assistant to the Senior Advisor for Agriculture (detail)
Office of the Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460
Phone (202) 564-5041
subramanian.hema@epa.gov

From: Sands, Jeffrey
Sent: Monday, January 08, 2018 4:31 PM
To: Subramanian, Hema <Subramanian.Hema@epa.gov>
Subject: FW: Materials

FYI

From: Bodine, Susan
Sent: Friday, January 5, 2018 6:15 PM
To: Sands, Jeffrey <sands.jeffrey@epa.gov>
Subject: RE: Materials

Attached are some edits to the fact sheet.

Deliberative Process / Ex. 5

I can take a crack at that.

From: Sands, Jeffrey
Sent: Friday, January 5, 2018 3:31 PM
To: Bodine, Susan <bodine.susan@epa.gov>
Subject: Materials

Susan,

Given your interest and expertise on this issue, I wanted to share a fact sheet that OLEM has been working on as well as an email I received from the Region 1 Ag advisor regarding some correspondence from Sen. Leahy on CERCLA reporting.

Thanks.

Best,

Jeffrey Sands

Senior Advisor to the Administrator for Agriculture Policy
1200 Pennsylvania Ave, NW
2415 WJC North
Washington, DC 20460
(202) 564-2263

Message

From: Ziegel, Dean [Ziegel.Dean@epa.gov]
Sent: 4/24/2018 7:20:03 PM
To: Miles, James [miles.james@epa.gov]
Subject: RE: OMB/Interagency Comments on Q&As for CERCLA and EPCRA Reporting Requirements for Air Releases of Hazardous Substances from Animal Waste at Farms (RIN 2050-ZA14)

Yes sir. Just left the OLEM conference room....

From: Miles, James
Sent: Tuesday, April 24, 2018 2:32 PM
To: Ziegel, Dean <Ziegel.Dean@epa.gov>
Subject: FW: OMB/Interagency Comments on Q&As for CERCLA and EPCRA Reporting Requirements for Air Releases of Hazardous Substances from Animal Waste at Farms (RIN 2050-ZA14)

You covering this call?

From: Sullivan, Greg
Sent: Tuesday, April 24, 2018 2:00 PM
To: Miles, James <miles.james@epa.gov>
Cc: Saenz, Diana <Saenz.Diana@epa.gov>
Subject: Fwd: OMB/Interagency Comments on Q&As for CERCLA and EPCRA Reporting Requirements for Air Releases of Hazardous Substances from Animal Waste at Farms (RIN 2050-ZA14)

FYI. It looked like dean was on the distribution.

Sent from my iPhone

Begin forwarded message:

From: "Cogliano, Gerain" <Cogliano.Gerain@epa.gov>
Date: April 24, 2018 at 6:41:16 AM MDT
To: "Jennings, Kim" <Jennings.Kim@epa.gov>, "Gioffre, Patricia" <Gioffre.Patricia@epa.gov>, "Jacob, Sicy" <Jacob.Sicy@epa.gov>, "Principe, Vanessa" <Principe.Vanessa@epa.gov>, "Franklin, Kathy" <Franklin.Kathy@epa.gov>, "Michaud, John" <Michaud.John@epa.gov>, "Lewis, Jen" <Lewis.Jen@epa.gov>, "ODea, Elise" <odea.elise@epa.gov>, "Subramanian, Hema" <Subramanian.Hema@epa.gov>, "Ziegel, Dean" <Ziegel.Dean@epa.gov>, "Sullivan, Greg" <Sullivan.Greg@epa.gov>, "Cooperstein, Sharon" <Cooperstein.Sharon@epa.gov>
Cc: "Breen, Barry" <Breen.Barry@epa.gov>, "Cook, Steven" <cook.steven@epa.gov>, "Brooks, Becky" <Brooks.Becky@epa.gov>, "Hilosky, Nick" <Hilosky.Nick@epa.gov>, "Fotouhi, David" <Fotouhi.David@epa.gov>, "Cheatham, Reggie" <cheatham.reggie@epa.gov>, "Clark, Becki" <Clark.Becki@epa.gov>
Subject: OMB/Interagency Comments on Q&As for CERCLA and EPCRA Reporting Requirements for Air Releases of Hazardous Substances from Animal Waste at Farms (RIN 2050-ZA14)

Attached are the interagency reviewers (minus DOJ's) comments on the two guidance documents. We will hear DOJ's concerns today at 2:30.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Message

From: Hostage, Barbara [Hostage.Barbara@epa.gov]
Sent: 10/6/2017 2:59:01 PM
To: Rees, Sarah [rees.sarah@epa.gov]; Noggle, William [Noggle.William@epa.gov]
CC: Owens, Nicole [Owens.Nicole@epa.gov]; Jutras, Nathaniel [Jutras.Nathaniel@epa.gov]
Subject: RE: Updated routine agricultural operations Q&A

Just for your information.....

I understand that Patrick is on a plane headed for Colorado Springs.
I understand he will be landing around 1:00 pm our time.
Hopefully, the Q&A will be at OMB by then. ☺

Barbara Hostage, Director
Policy Analysis and Regulatory Management Staff (PARMS)
Office of Program Management (OPM)
Office of Land and Emergency Management (OLEM)

EPA West Room 4130A
Phone Number: 202-566-1933
Fax Number: 202-566-1934
Mail Code: 5103T

From: Rees, Sarah
Sent: Friday, October 06, 2017 10:32 AM
To: Noggle, William <Noggle.William@epa.gov>; Hostage, Barbara <Hostage.Barbara@epa.gov>
Cc: Owens, Nicole <Owens.Nicole@epa.gov>; Jutras, Nathaniel <Jutras.Nathaniel@epa.gov>
Subject: RE: Updated routine agricultural operations Q&A

I heard from Samantha this morning that she is checking on this – she is likely reaching out to Patrick and/or David F at OGC. But if Patrick doesn't hear from her soon he should reach out.

From: Noggle, William
Sent: Friday, October 06, 2017 10:30 AM
To: Rees, Sarah <rees.sarah@epa.gov>; Hostage, Barbara <Hostage.Barbara@epa.gov>
Cc: Owens, Nicole <Owens.Nicole@epa.gov>; Jutras, Nathaniel <Jutras.Nathaniel@epa.gov>
Subject: RE: Updated routine agricultural operations Q&A

Sarah,
Would it help in expediting OP approval, if we had Patrick Davis call over to Brittany and/or Samantha?

Thanks,
Bill
202-566-1306

From: Rees, Sarah
Sent: Friday, October 06, 2017 8:51 AM
To: Hostage, Barbara <Hostage.Barbara@epa.gov>

Cc: Owens, Nicole <Owens.Nicole@epa.gov>; Jutras, Nathaniel <Jutras.Nathaniel@epa.gov>; Noggle, William <Noggle.William@epa.gov>

Subject: Re: Updated routine agricultural operations Q&A

Thanks Barbara - I've let Samantha and Brittany know this is coming. Haven't heard anything back yet but will keep on it.

Cheers,
Sarah

On Oct 6, 2017, at 8:49 AM, Hostage, Barbara <Hostage.Barbara@epa.gov> wrote:

Good morning, Sarah & Nicole.

Just wanted to let you know that The Q&A clarifying "routine agricultural operations" under EPCRA is attached and has been approved by Patrick Davis.

Both David Fotouhi and Susan Bodine concur.

Bill Noggle will be sending this to Nate shortly.

As I mentioned yesterday, OMB has requested the Q&A for review as early today as possible in order to allow us to meet our 10/16 deadline for posting on the internet.

Please let me know if you run into any delays.

Thank you for your help on this!

Barbara Hostage, Director
Policy Analysis and Regulatory Management Staff (PARMS)
Office of Program Management (OPM)
Office of Land and Emergency Management (OLEM)

EPA West Room 4130A
Phone Number: 202-566-1933
Fax Number: 202-566-1934
Mail Code: 5103T

From: Davis, Patrick

Sent: Thursday, October 05, 2017 5:44 PM

To: Lewis, Jen <Lewis.Jen@epa.gov>

Cc: Michaud, John <Michaud.John@epa.gov>; Swenson, Erik <Swenson.Erik@epa.gov>; Salo, Earl <Salo.Earl@epa.gov>; Noggle, William <Noggle.William@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Hosford, Elizabeth (CIV) <Elizabeth.Hosford@usdoj.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Brown, Byron <brown.byron@epa.gov>

Subject: Re: Updated routine agricultural operations Q&A

Susan and I reviewed this tonight. It is approved to move to OP to transmit to OMB.

Patrick Davis
Environmental Protection Agency
Deputy Associate Director, Office of Land and Emergency Management
202-564-3103 office
202-380-8341 cell

Emails sent to this address may be subject to FOIA.

Sent from my iPhone

On Oct 5, 2017, at 3:59 PM, Lewis, Jen <Lewis.Jen@epa.gov> wrote:

Patrick,

As we discussed earlier today, OGC has revised the draft Q&A to address various comments. The draft is attached. We thought it might be helpful to set out the thought

Attorney Client / Ex. 5

We are happy to discuss.

We understand that this needs to go to OMB by tomorrow, so if folks in the "cc" line could get this to all the right people for final review, that would be great.

Jen

Jen Lewis
Deputy Associate General Counsel
Solid Waste and Emergency Response Law Office
(202) 564-2097

<Routine Agricultural Operations -QA_DRAFT 10-5-17.docx>

<Routine Agricultural Operations -QA_DRAFT 10-5-17.docx>

Message

From: Taylor, Trish [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=2BF5F5220F7144D380741509ABAECD7-PTAYLO03]
Sent: 1/8/2018 10:23:44 PM
To: Benjamin, Kent [Benjamin.Kent@epa.gov]
Subject: FW: Materials
Attachments: CERCLA EPCRA Factsheet 1-4-18 final_HS spb edits.docx

The comments are very legalese. It'll be interesting to see which ones Patty incorporates into the revision.

From: Thomas, Latosha
Sent: Monday, January 08, 2018 5:09 PM
To: Taylor, Trish <Taylor.Trish@epa.gov>
Subject: FW: Materials

From: Subramanian, Hema
Sent: Monday, January 08, 2018 5:03 PM
To: Thomas, Latosha <Thomas.Latosha@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>
Subject: FW: Materials

Per the context I mentioned on the call today...

Hema Subramanian
Special Assistant to the Senior Advisor for Agriculture (detail)
Office of the Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460
Phone (202) 564-5041
subramanian.hema@epa.gov

From: Sands, Jeffrey
Sent: Monday, January 08, 2018 4:31 PM
To: Subramanian, Hema <Subramanian.Hema@epa.gov>
Subject: FW: Materials

FYI

From: Bodine, Susan
Sent: Friday, January 5, 2018 6:15 PM
To: Sands, Jeffrey <sands.jeffrey@epa.gov>
Subject: RE: Materials

Attached are some edits to the fact sheet.

Deliberative Process / Ex. 5

From: Sands, Jeffrey
Sent: Friday, January 5, 2018 3:31 PM
To: Bodine, Susan <bodine.susan@epa.gov>
Subject: Materials

Susan,

Given your interest and expertise on this issue, I wanted to share a fact sheet that OLEM has been working on as well as an email I received from the Region 1 Ag advisor regarding some correspondence from Sen. Leahy on CERCLA reporting.

Thanks.

Best,

Jeffrey Sands
Senior Advisor to the Administrator for Agriculture Policy
1200 Pennsylvania Ave, NW
2415 WJC North
Washington, DC 20460
(202) 564-2263

Message

From: Taylor, Trish [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=2BF5F5220F7144D380741509ABAECD7-PTAYLO03]
Sent: 11/30/2017 10:41:11 PM
To: Colip, Matthew [colip.matthew@epa.gov]
Subject: FW: CERCLA and EPCRA Reporting Requirements for Air Releases of Hazardous Substances from Animal Waste at Farms

From: Grantham, Nancy
Sent: Wednesday, November 15, 2017 12:58 PM
To: Taylor, Trish <Taylor.Trish@epa.gov>
Subject: RE: CERCLA and EPCRA Reporting Requirements for Air Releases of Hazardous Substances from Animal Waste at Farms

Can you call me on this? thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: Taylor, Trish
Sent: Wednesday, November 15, 2017 11:14 AM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Re: CERCLA and EPCRA Reporting Requirements for Air Releases of Hazardous Substances from Animal Waste at Farms

Does OEM need to go through OWC for updates to the Ag rule guidance FAQs? Or should we give you, Tate and Chad a heads-up, prior to revising?

Thanks,
Trish

Message

From: Brooks, Becky [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6F369A2EF33E4A87AF349210A3915A57-BBROOKS]
Sent: 3/1/2018 11:40:55 AM
To: Indermark, Michele [Indermark.Michele@epa.gov]
Subject: RE: EPA Visit

Thanks, Michele. Let us know if you want Barry and Steven included in the meeting.

*Becky Brooks
Special Assistant
Office of Land and Emergency Management
U.S. Environmental Protection Agency
ph. 202-566-2762*

From: Indermark, Michele
Sent: Wednesday, February 28, 2018 5:01 PM
To: Indermark, Michele <Indermark.Michele@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>
Subject: FW: EPA Visit

Hi Nick and Becky,

Just sending this as an FYI.

Michele Indermark
OLEM/OEM
Special Assistant
(w) 202-564-0794

From: Bennett, Tate
Sent: Wednesday, February 28, 2018 4:44 PM
To: Karen Gefvert <kgefvert@wfbf.com>
Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; andrew@fb.org; donp@fb.org; Subramanian, Hema <Subramanian.Hema@epa.gov>; Dewey, Amy <Dewey.Amy@epa.gov>
Subject: Re: EPA Visit

Happy to accommodate you all! Copying Hema and Amy to help set this up.

On Feb 28, 2018, at 4:31 PM, Karen Gefvert <kgefvert@wfbf.com> wrote:

Good afternoon Jeff, Tate, Reggie and Kim,

I received your contact information from staff at the American Farm Bureau Federation. I work for the Wisconsin Farm Bureau and will be bringing a delegation of approximately 30 members and leaders to Washington DC in mid-March. We would like to try and schedule a visit with some staff from the agency to discuss environmental issues facing agriculture, such as:
CERCLA
WOTUS

Regulatory Reform

We are looking at a visit on Tuesday, March 20, 2018 in the early afternoon; noon-3:30pm is what we have open on our schedule.

Please let me know if it is possible to set up a meeting with applicable staff to talk through EPA's roll in some of the above mentioned issues.

Thank you,

Karen

Karen Gefvert

Director of Governmental Relations

Wisconsin Farm Bureau Federation

608.828.5713 | kgefvert@wfbf.com

www.wfbf.com

A Voice for Farmers. A Vision for Agriculture. ®

Message

From: Cogliano, Gerain [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4BA589A367194EFD92030BFBE891A298-COGLIANO, GERAIN]
Sent: 4/17/2018 5:33:35 PM
To: Lewis, Jen [Lewis.Jen@epa.gov]; Michaud, John [Michaud.John@epa.gov]; ODea, Elise [odea.elise@epa.gov]
Subject: RE: on the question of OMB review

Thanks.

From: Lewis, Jen
Sent: Tuesday, April 17, 2018 1:33 PM
To: Cogliano, Gerain <Cogliano.Gerain@epa.gov>; Michaud, John <Michaud.John@epa.gov>; ODea, Elise <odea.elise@epa.gov>
Subject: RE: on the question of OMB review

Erica Zilioli in the Environmental Defense Section, and I believe she also shared with Jack Lipshultz (Assistant Section Chief) and Cheryl Mackay (Law and Policy). If she did not share the document with them, she at least talked through it with them.

Jen Lewis
Deputy Associate General Counsel
Solid Waste and Emergency Response Law Office
(202) 564-2097

From: Cogliano, Gerain
Sent: Tuesday, April 17, 2018 1:32 PM
To: Michaud, John <Michaud.John@epa.gov>; Lewis, Jen <Lewis.Jen@epa.gov>; ODea, Elise <odea.elise@epa.gov>
Subject: FW: on the question of OMB review

Hi. It would help if I could let OMB know who in DOJ has seen the Q&As on CERCLA/EPCRA reporting of animal wastes. Please let me know. Thanks.

From: Nickerson, William
Sent: Tuesday, April 17, 2018 12:00 PM
To: Breen, Barry <Breen.Barry@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Palich, Christian <palich.christian@epa.gov>; Frye, Tony (Robert) <frye.robert@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Hostage, Barbara <Hostage.Barbara@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Cogliano, Gerain <Cogliano.Gerain@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Jacob, Sicy <Jacob.Sicy@epa.gov>; Michaud, John <Michaud.John@epa.gov>; ODea, Elise <odea.elise@epa.gov>; Lewis, Jen <Lewis.Jen@epa.gov>; Cooperstein, Sharon <Cooperstein.Sharon@epa.gov>; Clark, Becki <Clark.Beki@epa.gov>; Principe, Vanessa <Principe.Vanessa@epa.gov>; Simon, Nigel <Simon.Nigel@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Subramanian, Hema <Subramanian.Hema@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Taylor, Trish <Taylor.Trish@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Indermark, Michele <Indermark.Michele@epa.gov>; Swenson, Erik <Swenson.Erik@epa.gov>; Harwood, Jackie <Harwood.Jackie@epa.gov>; Franklin, Kathy <Franklin.Kathy@epa.gov>
Subject: on the question of OMB review

I've confirmed everyone is in agreement on the need for speedy review. I would suggest that we set up a briefing with OMB as soon as possible so we can quickly get to the substance of the action and set

expectations about review times. Depending on how things go, that could serve as the courtesy briefing or the first meeting that is part of formal review. Brittany was comfortable with either approach, with an implied preference for whatever is faster.

I understand there was an inquiry this morning from OMB staff that was premised on the assumption of 12866 review, so that might be the direction we are headed. Based on our meeting yesterday and my subsequent conversation here in OP, there doesn't seem to be any objection to formal 12866 review assuming it can be done very quickly. I'm happy to help facilitate that, should it be necessary.

Bill

William (Bill) Nickerson
Associate Office Director
Office of Regulatory Policy and Management
Office of Policy
Phone: (202) 566-0326

Message

From: Lewis, Jen [Lewis.Jen@epa.gov]
Sent: 10/13/2017 7:25:44 PM
To: Fotouhi, David [Fotouhi.David@epa.gov]
Subject: FW: OMB escalation

David,

You probably already know this, but it appears OMB wants to include the CERCLA 103 guidance in the interagency review process (see below). Just as a reminder, in case you are asked, I did share the CERCLA 103 guidance with our DOJ trial attorney for litigation purposes.

We have a 3:30 call with OMB; happy to give you an update afterwards if you like.

Jen

Jen Lewis
Deputy Associate General Counsel
Solid Waste and Emergency Response Law Office
(202) 564-2097

From: Noggle, William
Sent: Friday, October 13, 2017 2:15 PM
To: Davis, Patrick <davis.patrick@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Simon, Nigel <Simon.Nigel@epa.gov>; Lewis, Jen <Lewis.Jen@epa.gov>; Michaud, John <Michaud.John@epa.gov>; Rees, Sarah <rees.sarah@epa.gov>; Owens, Nicole <Owens.Nicole@epa.gov>; Cooperstein, Sharon <Cooperstein.Sharon@epa.gov>; Franklin, Kathy <Franklin.Kathy@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Jacob, Sicy <Jacob.Sicy@epa.gov>; Clark, Becki <Clark.Beki@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>
Cc: Brooks, Becky <Brooks.Becky@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Hostage, Barbara <Hostage.Barbara@epa.gov>
Subject: OMB escalation

Patrick, Sarah,

I just spoke with Jim Laity. He is escalating to his management that the CERCLA Q&As be included in interagency review, and we should target concluding interagency review on both the EPCRA and CERCLA Q&As by the end of next week.

How would you like to handle this?

Thanks,
Bill
202-566-1306